

IN THE UNITED STATES DISTRICT COURT
OF THE WESTERN DISTRICT OF PENNSYLVANIAPAUL SHAFFER and
MARGARET SHAFFER, his wife,
Plaintiffs,

vs.

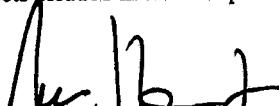
Civil Action No. 04-0468

Chief Judge Ambrose
Chief Magistrate Judge CaiazzaT.K.T. METOXIT A.G.;
T.K.T. METOXIT A.G., INC.;
SMITH & NEPHEW ORTHOPAEDICS, INC.;
SMITH & NEPHEW ORTHOPAEDICS;
SMITH & NEPHEW INC.;
SMITH & NEPHEW,

Defendants.

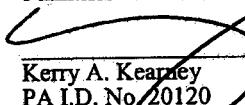
STIPULATION OF DISMISSAL WITH PREJUDICE
and ORDER OF COURT

IT IS STIPULATED AND AGREED BY AND BETWEEN the Plaintiffs, Paul Shaffer and Margaret Shaffer, and Defendants, Smith & Nephew Orthopaedics, Inc., Smith & Nephew Orthopaedics, Smith & Nephew Inc., and Smith & Nephew that all claims by Plaintiffs against Defendants are dismissed with prejudice as to the future filing of any additional actions related to the facts pleaded in the Complaint. Counsel signing below represent that they have authority to bind their clients.

Dated: December 2, 2005


 Ned J. Nakles, Jr.
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Plaintiffs' Counsel



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Smith & Nephew Orthopaedics, Inc.; Smith & Nephew
 Orthopaedics; Smith & Nephew Inc.
 Smith & Nephew Counsel

SO ORDERED:

